

CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795	Hearing Date/Agenda Number P.C. 6/11/03 Item: 4.b
<h1 style="margin: 0;">STAFF REPORT</h1>	File Number PDC03-018
	Application Type Planned Development Rezoning
	Council District 3
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Planning Area Central </div> <div style="width: 45%;"> SNI Area Spartan Keyes </div> </div>
	Assessor's Parcel Number(s) 477-04-029
<div style="display: flex; justify-content: space-between;"> <div>PROJECT DESCRIPTION</div> <div>Completed by: John Davidson</div> </div>	
Location: Southeast corner of S. Twelfth and Keyes Streets.	
<div style="display: flex; justify-content: space-between;"> <div>Gross Acreage: 1.61</div> <div>Net Acreage: 1.58</div> <div>Net Density: 52 DU/AC</div> </div>	
Existing Zoning: R-2 Two-family Residence and CN Neighborhood Commercial Existing Use: Overflow parking lot	
<div style="display: flex; justify-content: space-between;"> <div>Proposed Zoning: A(PD) Planned Development</div> <div>Proposed Use: up to 82 multi-family affordable dwelling units and up to 2,500 square feet of retail space</div> </div>	
<div style="display: flex; justify-content: space-between;"> <div>GENERAL PLAN</div> <div>Completed by: JED</div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> Land Use/Transportation Diagram Designation General Commercial and Medium Density Residential (8-16 DU/AC) </div> <div> Project Conformance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> See Analysis and Recommendations </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div>SURROUNDING LAND USES AND ZONING</div> <div>Completed by: JED</div> </div>	
North: vacant	R-M Multi-family Residence
East: UP railroad	R-2 Two-family Residence
South: Duplexes	R-2 Two-family Residence
West: Retail and Duplexes	CP Pedestrian Commercial and R-2 Two-family Residence
<div style="display: flex; justify-content: space-between;"> <div>ENVIRONMENTAL STATUS</div> <div>Completed by: JED</div> </div>	
<input type="checkbox"/> Environmental Impact Report certified <input checked="" type="checkbox"/> Negative Declaration circulated on May 22, 2003 <input type="checkbox"/> Negative Declaration adopted on	<input type="checkbox"/> Exempt <input type="checkbox"/> Environmental Review Incomplete
<div style="display: flex; justify-content: space-between;"> <div>FILE HISTORY</div> <div>Completed by: JED</div> </div>	
Annexation Title: Original City	Date: 3/27/1850
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION	
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	Date: _____ Approved by: _____ <input type="checkbox"/> Action <input type="checkbox"/> Recommendation
<div style="display: flex; justify-content: space-between;"> <div>APPLICANT</div> <div>OWNER</div> </div>	
ROEM Development Corp. 1895 Dobbin Drive San José, CA 95133	City of San Jose Housing Department Four N. Second Street, Room 1350 San Jose, CA 95113
<div style="display: flex; justify-content: space-between;"> <div>PUBLIC AGENCY COMMENTS RECEIVED</div> <div>Completed by: JED</div> </div>	

Department of Public Works

See attached memo

Other Departments and Agencies

See attached memos from Fire Department and Environmental Services Department

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant is proposing a Planned Development Rezoning to allow up to 82 multi-family affordable units and up to 2,500 square feet of ground-floor retail space on a 1.61 gross acre site at the southeast corner of S. Twelfth and Keyes Streets. This Planned Development Zoning allows for either the development of up to 82 residential units without a retail component, or up to 79 residential units with ground-level retail.

The subject site is currently owned by the City of San Jose Housing Department and is used as an overflow parking lot for special events at Kelly Park and is surrounded by a vacant lot to the north across Keyes Street, a Union Pacific railroad right-of-way to the east, duplexes to the south, and commercial and duplexes to the west across S. Twelfth Street.

The project consists of a single podium building with a below-grade parking garage and an interior courtyard. The unit mix includes eight one-bedroom units, forty-six two-bedroom units and twenty-five three-bedroom units. The proposed retail space would be located at the northwest corner of the site, at S. Twelfth and Keyes Streets. Uses in the proposed retail space would be limited to the enumerated uses of General Retail and Public Eating Establishments only. In addition, any commercial use will be required to meet the performance standards for commercial uses as specified in the Zoning Ordinance. A total of 156 parking spaces are provided, in conformance with Zoning Ordinance Requirements based on unit bedroom counts and the proposed square footage of retail space. The majority of the parking spaces for the project are located below grade, with approximately twelve parking spaces provided at grade to the south of the building. The proposed building is four stories and a maximum of 65 feet in height and feature stucco exteriors with vinyl windows. Hipped roofs are proposed, with gable elements, finished with cement tiles.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and a Negative Declaration, which is attached, was circulated by the Director of Planning on May 22, 2003. Noise is the major environmental issue. The Initial Study included a noise report that addressed impacts to the proposed project from noise from Senter Road, Keyes Street, and the adjacent Union Pacific railroad line. Mitigation measures identified in that report have been incorporated into the project.

The City of San Jose Noise Element in the General Plan utilizes the Day-Night Level (DNL) 24-hour noise descriptor to define community noise impacts, and specifies that exterior noise exposures at residential areas not exceed 60 dB DNL when the noise source is transportation related. In addition, interior noise exposures are not to exceed 45 dB DNL. The Noise Element also states that residential development in close proximity to major

thoroughfares, in the Downtown Core Area, along railroads and in the vicinity of San Jose International Airport have noise exposures that may not be able to meet the noise standards in the time frame of the General Plan. For these cases, staff has supported 65 dB DNL as the near-term exterior noise standard.

The noise report found the existing noise environment is due primarily to vehicular traffic on Senter Road and Keyes Street. The analysis found noise exposure excesses in the range of 65-70 dB DNL occur at the site and mitigation measures will be required.

The project proposes thick sound-rated windows, noise attenuating building materials, and mechanical ventilation to provide the required 45 dB DNL interior living environment. In addition, private balconies would be either located facing into the courtyard, or facing either S. Twelfth Street or the southern property line, away from the noise being generated from Keyes Street and Senter Road. By incorporating the mitigation measures suggested in the noise report, the project will be able to achieve exterior noise levels of 65 dB DNL across the site, including in private open spaces, and the required interior noise levels of 45 dB DNL.

GENERAL PLAN CONFORMANCE

The General Plan Land Use Designation for the site is a combination of Medium Density Residential (8-16 DU/AC) and General Commercial along the northern portion of the site, abutting Keyes Street. The residential portion of the project is being proposed at a maximum project density of 52 DU/AC. The project developer is requesting that the Planning Commission and City Council review this proposal in light of the General Plan Land Use Discretionary Alternate Use Policy regarding the Location of Projects Proposing 100% Affordable Housing. That Discretionary Alternate Use Policy requires the project to be located on a parcel that is designated for Residential, Commercial, Industrial with the Mixed Industrial Overlay, Mixed Use, or Public/Quasi-Public use on the Land Use/ Transportation Diagram. The project is in conformance with that portion of the policy, in that the project site is designated a combination of residential and commercial. The project will provide rental housing affordable to very low-, low- or moderate-income households, in conformance with the policy. Staff also feels that this project is at a both a location and a density that the project is compatible with the surrounding neighborhood. The project has relatively few adjoining residences, and the building design responds to existing conditions in a respectful way by stepping down in height and by providing substantial setbacks.

The project also provides additional density near the Keyes Street corridor, which will increase the potential customer base for businesses located on Keyes Street, a key strategy of the Spartan Keyes Strong Neighborhoods Improvement Plan.

The project also furthers the housing distribution policies of the General Plan by offering a variety of dwelling unit configurations and by increasing the diversity of affordable housing units in the City of San Jose. The majority of units in the project are two- and three-bedroom units for families, which is currently the most needed type of affordable housing.

In addition, the proposed commercial portion of the project is consistent with the site's General Plan Land Use Designation of General Commercial, which permits a variety of commercial uses. The proposed coffee shop would provide a neighborhood serving use that residents of the neighborhood have expressed a strong desire for.

ANALYSIS

The primary project issues are land use compatibility with the existing neighborhood fabric, the relationship of the project to other planning efforts for the Keyes Street corridor, and conformance of the project with the Zoning Ordinance and Residential Design Guidelines.

Relationship to existing neighborhood fabric. The proposed rezoning would allow development at significantly higher densities than the existing neighborhood fabric. The proposed rezoning would allow a development intensity of up to 52 dwelling units per acre. The existing General Plan Land Use Designation for the property is Medium Density Residential (8-16 DU), and the properties immediately to the south of the site and across S. Twelfth Street are developed at that density. The proposed building responds to the existing neighborhood by stepping down to three stories (35 feet) in height along the southern elevation, and by providing a 65-foot setback from the building to the southern property line.

Although the building is four stories (60 feet) in height along the western elevation, the building is located a total of 78 feet away from the front property line of the duplexes across S. Twelfth Street. The eastern elevation responds to the residential character of S. Twelfth Street by providing individual entries for ground-floor units, with stoops and semi-private landscaped areas.

The project also provides a 35-foot setback from Keyes Street, an arterial street, in conformance with the residential design guidelines.

Relationship to other plans for the Keyes Street corridor. The project site falls within the boundaries of the Spartan Keyes Strong Neighborhoods area. The Spartan Keyes Strong Neighborhoods Improvement Plan envisions Keyes Street as a neighborhood-oriented commercial district. The proposed project furthers that goal by putting dense infill housing near the Keyes Street commercial district, which creates a customer base for new businesses, and by providing a neighborhood-serving retail use.

Conformance with the Zoning Ordinance and Residential Design Guidelines. The proposed project conforms to the Zoning Ordinance requirements for parking, providing a total of 156 parking spaces for the residential and retail uses. A total of twelve parking spaces are provided above grade, and would be available to guests and retail customers.

The project conforms to residential design guidelines for provision of private open space. The residential design guidelines require at least 50% of the units in a mixed-use development to have a minimum of 60 square feet of private open space, which the proposed project provides in the form of private balconies and porches. The project also conforms to the residential design guidelines for the provision of common open space, providing in excess of 100 square feet of common open space per unit in a large central courtyard.

The proposed project will result in the loss of 175 spaces of overflow parking for Kelly Park. The Parks Department is expecting to replace the lost parking as a part of the Happy Hollow Park expansion, which is scheduled to be completed in 2006. In the interim, Parks has made arrangements that would allow people to use nearby San Jose State University and Municipal Stadium parking lots for overflow parking.

CONCLUSION

The project proposes up to 82 units on 1.61 acres at a net density of 52 DU/AC. Staff is recommending approval of the project because it provides needed affordable family housing, along with convenience retail at the corner of Twelfth and Keyes Streets. The proposed project has been made compatible with the existing duplexes to the south by providing a substantial building setback, and by stepping the building height down from four stories to

three along the southern elevation. The project also respects the pedestrian realm along both Keyes and S. Twelfth Streets by providing individual entries to ground level units, by providing street trees along Keyes and Twelfth Streets, and by providing fully landscaped areas between the building and the street.

COMMUNITY OUTREACH

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 1,000 feet of the subject site. A community meeting was held May 8, 2003, and was attended by the applicant, Planning staff, a representative from the Council District 3 office, and Housing Department staff. The primary topics of discussion were traffic from the project site, with a special emphasis on construction traffic, and the inclusion of a retail component in the project. A mitigation measure has been included in the Initial Study requiring the developer to not use 7th, 10th, and 11th Streets as a part of the haul route for construction vehicles to and from the site. The neighborhood was strongly in favor of including a neighborhood-serving commercial use in the project.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of **approval** and the City Council **approve** the project for the following reasons:

1. For the residential portion of the project, the proposed rezoning conforms to General Plan Land Use Discretionary Alternate Use Policy regarding the Location of Projects Proposing 100% Affordable Housing, in that:
 - a. the project site is designated a combination of residential and commercial;
 - b. that the project will provide rental housing affordable to very low-, low- or moderate-income households;
 - c. that the project is proposed at a site and density compatible with surrounding land use designations;
 - d. and that the project is located on a site that is consistent with the housing distribution properties of this plan.
 2. The proposed commercial portion of the project is consistent with the site's General Plan Land Use Designation of General Commercial.
 3. The proposed project is consistent with the City of San Jose's Residential Design Guidelines.
- c Anthony Ho, ROEM Development
Rebecca Flores, CSJ Housing Department